

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
2829 UNIVERSITY AVE. SE
MINNEAPOLIS, MN 55414-3246**

SEPTEMBER 09, 2006

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, September 09, 2006, at its offices in Minneapolis, Minnesota.

PUBLIC SESSION

Roll call was taken.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Kris Sanda, Vice President, Jon Thomas, Secretary, Alfred Anderson, D.C., M.D., Robert Brown, Ph.D., Rebecca Hafner, M.D., Bradley Johnson, M.D., Kelli Johnson, Ernest Lampe, II, M.D., James Langland, M.D., James Mona, D.O., Allen Rasmussen, Carl Smith, M.D., Gregory Snyder, M.D., and Linda Van Etta, M.D.

Kris Sanda, Vice President, introduced new Board member, Robert Brown, Ph.D. Dr. Brown represents Congressional District Four and replaces Hilda Bettermann.

The minutes of the July 8, 2006, Board meeting were received and approved as circulated with a correction noted by Gregory Snyder, M.D. Dr. Snyder stated that he is Medical Director for Minnesota Radiology, not Minneapolis Radiology.

The Board heard a presentation on the mission and functions of the Federation of State Medical Boards (FSMB) from Lisa Robin, Vice President, Government Relations, Policy and Education and Freda Bush, member of the FSMB Board of Directors.

The Board informed Ms. Robin that it can take up to six months for the Federation Credentials Verification Service (FCVS) to process a verification of the applicant's credentials. Jeanne Hoffmann, Licensure Supervisor, stated that the process usually gets hung up with the international training verification. Ms. Hoffman said that it is faster to get direct verification from the country for education than going through FCVS. Ms. Hoffmann stated that the Mayo Clinic wants to make FCVS optional. Richard Auld, Ph.D., Assistant Executive Director stated that the Bill from the Mayo Clinic will be back next legislative session. Mr. Leach stated, for background information, that the Board went to the legislature to require FCVS for international graduate, after being convinced by the FSMB and the FCVS that they could process these verifications more efficiently than the Minnesota Board of Medical Practice. After a couple of years of experience, the

Mayo Clinic felt that the Board of Medical Practice was more efficient in getting the information on international medical graduates than the FCVS. Ms. Robin appreciated the feedback and said she would check into it saying that six months is too long.

On recommendation of the Licensure Committee, physician applicants 1 – 295 of the agenda and 393 - 395 of the hand-out were approved for licensure subject to the receipt of all verification documents.

On recommendation of the Licensure Committee, physician applicants 296 - 297 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 298 - 303 of the agenda were approved for licensure subject to the receipt of all verification documents.

On recommendation of the Athletic Trainer Advisory Council, athletic trainer applicants 304 - 324 of the agenda were approved for registration subject to the receipt of all verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 325 – 358 and 396 of the hand-out, pending approval in Executive Session, of the agenda were approved for registration subject to the receipt of all verification documents.

On recommendation of the Respiratory Care Practitioner Advisory Council, respiratory care practitioner applicants 359 - 392 were approved for registration subject to the receipt of all verification documents.

The minutes of the August 21, 2006, meeting of the Licensure Committee were received and approved as circulated with the exception of item number six, which will be dealt with elsewhere in the agenda. Dr. Hafner, Chair of the Licensure Committee, welcomed Dr. Brown as a new member of the Licensure Committee.

Mark Chu, The Board's Database Administrator, gave a demonstration of the Board's on-line physician profile.

James Mona, D.C., raised a concern that if a physician provides an e-mail address, the e-mail address will be shown on the physician profile. Dr. Mona felt that the default should be to opt-out of having the e-mail public. Mr. Leach stated that the e-mail address is optional.

Gregory Snyder, M.D., asked if there was a provision on the web site to track who is requesting physician profile information. Mr. Leach said no, nor would the Board want to because once the Board collects the information, that information is public. Mr. Chu also pointed out that on-line it is really simple to lie about your identity.

Kelli Johnson asked if medical malpractice information was going to be included on the physician profile. Mr. Leach stated that the Board is collecting information on medical malpractice. For the next three years, the Board is going to continue to collect the information on medical malpractice and then form another Taskforce to look at that data and make a decision on how to present the malpractice information on the website.

The criminal convictions that are shown on the Physician Profile are self-reported by the physician. Mr. Leach believes the reason why physicians self-report is to avoid falsification of the renewal application and that the Board does have a statutory reporting requirement.

Mr. Chu anticipates that the physician profile will be on-line by the end of September, 2006.

Ms. Johnson asked if more staff will be needed now with the physician profile on-line. Mr. Leach stated that there will be redistribution of work duties and no additional staff will be needed.

Mr. Leach will inform the Minnesota Medical Association (MMA) that the Physician Profiling will be going on-line by the end of September, 2006 at the MMA annual meeting next week after he presents the Board's 2006 statistical report. An article regarding this was also included in Update, the Board's newsletter, which came out in late summer, 2006.

Allen Rasmussen thought the title Physician Profiling has a negative connotation. Dr. Van Etta thought Professional Profile would take the negative connotation out of the title. The Board voted to change the title of Physician Profile for on-line service to Physician Professional Profile.

Mr. Leach presented the Fiscal Year 2006 Statistical Report. The number of physicians licenses issued in fiscal year 2006 has increased over the last several fiscal years. The number of physicians actively regulated by the Board, as well the number of all professions regulated by the Board, has continued to grow. The Board experienced a slight decrease in the number of complaints received in fiscal year 2006 as compared to fiscal year 2005. However, the number of Board disciplinary actions actually increased. The number of unresolved cases in the Board's backlog has increased from 465 in FY 2005 to 507 in this FY 2006. Dr. Hafner raised a concern that Board staff is developing an increasing backlog of unresolved complaints. Dr. Hafner thinks the Board has an obligation to make this a priority in this coming fiscal year to get that backlog cleaned up.

Dr. Johnson moved that the Public Policy Committee examine the issue of the development of doctorate of nurse practitioners and whether or not, if they are allowed to practice independently, should be subject to jurisdiction of the Minnesota Board of Medical Practice. Motion seconded and passed unanimously.

Dr. Hafner suggested that the Public Policy Committee look at the issue of fragmentation of medical records.

Motion was made and unanimously passed to accept the 2006 statistical report.

A ten minute break was taken.

Mr. Leach stated that in September 2005 the Board discussed whether or not to continue participation at the Minnesota State Fair. Board staff felt that the Board's appearance in the Education Building was reaching the same demographic year after year. It was discussed if continued participation was worth the \$19,000 it cost to participate in the State Fair. The Board came to the conclusion that the Board should

participate one more year. Mr. Leach is again bringing the discussion before the Board to see if it is economically viable to continue to participate at the State Fair, particularly since Board staff, once again, feels that the Board are reaching the same people year after year.

Mr. Leach thought it was coincidental that the year after the first appearance at the State Fair the complaint numbers started to go up. But now it seems like it has evened out, and Mr. Leach is not sure if the Board is reaching any new people.

Mr. Leach stated the purpose of going to the State Fair was to provide members of the public with the Board's brochure with the intent of educating the public that there is a place to go if they have a problem with their doctor.

Ms. Sanda went around the table and asked each Board member their opinion regarding the continued participation at the State Fair. Ms. Sanda invited comments from the Board staff that were present at the meeting.

Dr. Johnson made a motion that that the Minnesota Board of Medical Practice continue for another year at the Minnesota State Fair in 2007. Motion was seconded. Motion passed unanimously.

A motion was made and passed unanimously to appoint the following Board members to the Nominating Committee:

Steve Altchuler, Ph.D., M.D.
Kris Sanda
Jim Langland, M.D.

The Executive Director proposed the following Board meeting dates for the year 2007:

Regular Board Meetings

January 13
March 10
May 5
July 14
September 8
November 10

Contested Case Hearings

February 10
April 14
June 9
August 11
October 13
December 8

Dr. Anderson requested that the 2007 Board meeting dates be sent out by separate e-mail to each Board member. Dr. Van Etta also requested that the 2007 Federation of State Medical Boards' Annual meeting date and the 2007 Minnesota State Fair dates be also sent to all Board members.

The Board was informed of a Corrective Action Agreement entered since the last Board meeting.

End of Public Session.

EXECUTIVE SESSION

All Board members voting concurred in the following decisions, unless otherwise indicated:

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Kris Sanda, Vice President, Jon Thomas, Secretary, Alfred Anderson, D.C., M.D., Robert Brown, Ph.D., Rebecca Hafner, M.D., Bradley Johnson, M.D., Kelli Johnson, Ernest Lampe, II, M.D., James Langland, M.D., James Mona, D.O., Allen Rasmussen, Carl Smith, M.D., Gregory Snyder, M.D., and Linda Van Etta, M.D.

STANLEY C. GALLAGHER, DO

On recommendation of the Complaint Review Committee, the license of Dr. Gallaher was reinstated.

JAMES C. HARVANKO, MD

On recommendation of the Complaint Review Committee, the license of Dr. Harvanko was reinstated.

STEVEN J. KINNALLY, PA

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted license signed by Mr. Kinnally was approved.

ROLAND R. LARTER, MD

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted license signed by Dr. Larter was approved. Dr. James Langland recused.

ALLAN M. OLSON, PA

On recommendation of the Licensure Committee, the Stipulation and Order for Reprimand signed by Mr. Olson was approved.

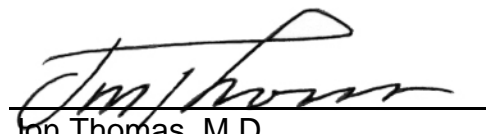
EDWARD W. RUTLEDGE, MD

On recommendation of the Complaint Review Committee, the Stipulation and Order for indefinite suspension signed by Dr. Rutledge was approved. Dr. Carl Smith recused.

GORDON WAYNE TUNBY, RCP

On recommendation of the Complaint Review Committee, the Stipulation and Order for indefinite suspension signed by Mr. Tunby was approved.

There being no further business, the meeting was adjourned.



Jon Thomas, M.D.

Secretary
MN Board of Medical Practice

10/09/2006
Date